

**THE UNITED STATES BANKRUPTCY COURT  
FOR THE EASTERN DISTRICT OF PENNSYLVANIA (Reading)**

**IN RE:** : **BK. No. 18-12926-pmm**  
**KYLE JOSEPH DOMITROVITS** :  
**BRITTANY KRISTEN DOMITROVITS AKA** : **Chapter No. 13**  
**BRITTANY KRISTEN MESSENIER** :  
**Debtors**

**FREEDOM MORTGAGE CORPORATION**  
**Movant**

**v.**

**KYLE JOSEPH DOMITROVITS**  
**BRITTANY KRISTEN DOMITROVITS AKA**  
**BRITTANY KRISTEN MESSENIER**  
**Respondents**

**NOTICE OF COVID-19 MORTGAGE FORBEARANCE AGREEMENT PURSUANT TO  
LOCAL ORDER 20-3007**

The undersigned, Phelan Hallinan Diamond & Jones, LLP, are creditor's counsel in this matter.

1. Debtors currently has a mortgage with **FREEDOM MORTGAGE CORPORATION**. The property address is 1028 HOGAN WAY, NORTHAMPTON, PA 18067-2701, Loan # ending in 6396. A Proof of Claim has been filed on the claim register at #23. A written Notice of Payment Change/Forbearance is being filed on the claims docket pursuant to bankruptcy Rule 3002.1 (b) and Local Rule 20-3007.
2. The terms of the forbearance are as follows: Regular monthly mortgage payments starting with the May 1, 2020 through July 31, 2020 are suspended. Payment of the escrow component of the regular monthly mortgage payments (shall also be suspended).

3. The Creditor advises that no fees will be assessed against the loan with regard to this Notice of Forbearance.
4. Prior to the expiration of the forbearance period, Debtors must either (1) request additional forbearance time under Local Rule, State or Federal Law; (2) enter into loss mitigation with Creditor; or (3) file an Amended Chapter 13 Plan which cures the arrears resulting from the forbearance period over the remainder of the Chapter 13 Plan. A copy of the Forbearance Agreement is attached hereto as exhibit "A".
5. Creditor, does not waive any rights to collect the payments that come due during the forbearance period or any payments that were due and owing prior to the forbearance period. The payment post-petition amount due at the time of this forbearance is \$1,343.43.
6. Creditor does not waive its rights under the terms of the note and mortgage or under other applicable non-bankruptcy laws and regulations, including, but not limited to, RESPA, and the right to collect on any post-petition escrow shortage.

/s/ Thomas Song, Esquire  
Thomas Song, Esq., Id. No.89834  
Phelan Hallinan Diamond & Jones, LLP  
1617 JFK Boulevard, Suite 1400  
One Penn Center Plaza  
Philadelphia, PA 19103  
Phone Number: 215-563-7000 Ext 31387  
Fax Number: 215-568-7616  
Email: Thomas.Song@phelanhallinan.com

June 17, 2020

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**IN RE:** : **BK. No. 18-12926-pmm**  
**KYLE JOSEPH DOMITROVITS** :  
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**Respondents**

**CERTIFICATE OF SERVICE**

I hereby certify that service upon all interested parties, indicated below was made by sending true and correct copies of the Notice of Forbearance by electronic means on June 17, 2020.

CHARLES LAPUTKA  
LAPUTKA LAW OFFICE  
1344 W. HAMILTON ST.  
ALLENTOWN, PA 18102

SCOTT F. WATERMAN (CHAPTER 13)  
CHAPTER 13 TRUSTEE  
2901 ST. LAWRENCE AVE.  
SUITE 100  
READING, PA 19606

UNITED STATES TRUSTEE  
OFFICE OF THE U.S. TRUSTEE  
200 CHESTNUT STREET  
SUITE 502  
PHILADELPHIA, PA 19106

BRITTANY KRISTEN DOMITROVITS  
AKA BRITTANY KRISTEN  
MESSENIEHNER  
1028 HOGAN WAY  
NORTHAMPTON, PA 18067

KYLE JOSEPH DOMITROVITS  
1028 HOGAN WAY  
NORTHAMPTON, PA 18067

/s/ Thomas Song, Esquire

Thomas Song, Esq., Id. No.89834

Phelan Hallinan Diamond & Jones, LLP

1617 JFK Boulevard, Suite 1400

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Philadelphia, PA 19103

Phone Number: 215-563-7000 Ext 31387

Fax Number: 215-568-7616

Email: Thomas.Song@phelanhallinan.com

June 17, 2020

Exhibit “A”



PO Box 50485, Indianapolis, IN 46250-0485

LAPUTKA LAW OFFICE, CHARLES LAPUTKA  
1344 HAMILTON ST,  
ALLENTOWN, PA 18102

06/02/20

Re: KYLE J DOMITROVITS  
Case Number: 1812926  
Account Number: [REDACTED]

**IMPORTANT NOTICE: TO THE EXTENT THE BORROWER'S OBLIGATION HAS BEEN DISCHARGED IN BANKRUPTCY, IS SUBJECT TO THE AUTOMATIC STAY OR IS PROVIDED FOR IN A CONFIRMED PLAN, THIS COMMUNICATION IS FOR REGULATORY COMPLIANCE AND/OR INFORMATIONAL PURPOSES ONLY, AND DOES NOT CONSTITUTE A DEMAND FOR PAYMENT OR AN ATTEMPT TO IMPOSE PERSONAL LIABILITY FOR SUCH OBLIGATION.**

Dear Attorney,

Your client(s) initiated contact with us recently requesting a forbearance of mortgage payments as a result of impact due to the COVID-19 emergency. Therefore, Freedom has granted a forbearance on the account beginning on May 1, 2020 through and including July 31, 2020, in accordance with the CARES Act.

Due to your client's active status in bankruptcy, we are writing to ensure that, as counsel for the debtor, your client has made you aware of this forbearance request and Freedom's agreement to grant this request. We also want to ensure that you will take all actions that are necessary to address this forbearance in the bankruptcy case, as may be applicable.

We have enclosed an authorization form seeking your consent to allow Freedom and/or Freedom's representatives to continue to communicate directly with Freedom or its representatives regarding this forbearance, and any further potential loss mitigation options.



PO Box 50485, Indianapolis, IN 46250-0485

Upon receipt of this notice, please contact Freedom's designated bankruptcy counsel to confirm receipt, and to ensure that the lines of communication remain open so that we may work through this matter together.

Sincerely,

Bankruptcy Department  
Freedom Mortgage Corporation

cc: Borrower Name(s)  
FMC BK Counsel

**THE FOLLOWING DISCLOSURE IS MADE PURSUANT TO THE REQUIREMENTS OF THE FAIR DEBT COLLECTION PRACTICES ACT OR OTHER LAW OR REGULATION. IT IS NOT INTENDED TO CONTRADICT THE NOTICE STATED AT THE TOP OF THIS COMMUNICATION.**

**FREEDOM MORTGAGE CORPORATION IS A DEBT COLLECTOR ATTEMPTING TO COLLECT A DEBT AND ANY INFORMATION OBTAINED WILL BE USED FOR THAT PURPOSE.**



PO Box 50485, Indianapolis, IN 46250-0485

AUTHORIZATION TO COMMUNICATE WITH DEBTOR(S)  
REGARDING POTENTIAL LOSS MITIGATION OPTIONS

Loan Number [REDACTED]  
Collateral Address 1028 HOGAN WAY  
NORTHAMPTON PA 18067-2701  
  
Debtor(s): KYLE J DOMITROVITS  
Case: 1812926

Freedom Mortgage Corporation (“Freedom”) is the mortgage loan servicer for the above-referenced loan. The debtor(s), identified above, are in an active bankruptcy.

At the Debtor(s) request, through outreach to Freedom, due to a hardship experienced as a result of the COVID-19 crisis, Freedom Mortgage has granted the debtor(s) a forbearance, from May 1, 2020 until July 31, 2020, (the “forbearance period”).

Debtor’s counsel LAPUTKA LAW OFFICE, CHARLES LAPUTKA hereby authorizes Freedom and/or its agents to communicate directly with debtors during the forbearance period and thereafter, as reasonable and necessary, for the purposes of discussing potential loss mitigation options and general loan account information. Such authorized communications shall not constitute a violation of the automatic stay.

Firm Name: \_\_\_\_\_

Firm Address: \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

Authorized Representative: \_\_\_\_\_

Contact Information: \_\_\_\_\_ (telephone)  
\_\_\_\_\_ (email)  
\_\_\_\_\_ (other)

Signature: \_\_\_\_\_





FREEDOM MORTGAGE®

FOR RETURN SERVICE ONLY

PLEASE DO NOT SEND PAYMENTS TO THIS ADDRESS

P.O. BOX 619063

DALLAS, TX 75261-9063

1-807-40699-0000134-001-000-000-000-000

KYLE J. DOMITROVITS  
1028 HOGAN WAY  
NORTHAMPTON PA 18067-2701

May 28, 2020

Re: Loan Number [REDACTED]

Dear Borrower (s),

Thank you for contacting us regarding your mortgage payment.

We have received your request for a forbearance as a result of a financial hardship due to the COVID-19 Emergency. We have also received your COVID-19 Hardship Attestation Form. As of May 28, 2020, we have received all of the information we need to provide you with a Forbearance Plan. You will receive the terms of your Forbearance Plan within 14 days from the date of this letter. We understand that you are facing financial challenges during this uncertain time and we are pleased that we can assist you.

#### What is a Forbearance Plan?

- A Forbearance Plan allows you to suspend making your mortgage payment for a limited period of time.
- A Forbearance Plan does not erase the payments that are suspended during the forbearance period and you will have to repay any suspended payments in the future.
- Forbearance doesn't erase what you owe - you'll have to repay any missed payments in the future.
- If your income is restored during the term of your Forbearance Plan and you want to resume making payments, contact us. The fewer missed payments means you'll owe less down the road.

#### What happens at the end of a Forbearance Plan?

- As the end of your Forbearance Plan is nearing, if you are still facing financial hardship caused by the COVID-19 Emergency, please contact us to request an extension of your Forbearance Plan.
- Under the CARES Act, you may receive a Forbearance Plan of up to 180 days and may request an extension of up to an additional 180 days. However, the total Forbearance plan period cannot exceed 360 days.
- At this time, there is not an automatic payment deferment or loan modification that will automatically bring your loan current at the end of your forbearance. **Action will be required on your part** - we will need to speak with you at the end of your Forbearance Plan to understand your financial circumstances.
- Depending on your circumstances, we may need documentation from you to consider you for the options available such as a reinstatement, repayment plan, or loan modification. Please note, there may be qualification criteria associated with these options.

If you currently maintain a second or subsequent lien on your mortgage such as a home equity line of credit (HELOC), home equity loan, or other subordinate loan type, we recommend you contact the bank or servicer of that subordinate loan for additional loss mitigation options.

As the servicer of your loan, Freedom Mortgage considers your satisfaction our top priority. To ensure that you have all resources available regarding who to contact should you have any questions about your account please find Freedom Mortgage's contact information below.

**Request for Information/Notice of Error**

Freedom Mortgage  
P.O. Box 50428  
Indianapolis, IN 46250-0401

You may access your loan information at your convenience, 24 hours a day, 7 days a week! Simply log on to our website at [www.freedommortgage.com](http://www.freedommortgage.com) or call our automated phone system at (855)-690-5900. Customer Care representatives are available to assist you Monday through Friday from 8:00am - 10:00pm and Saturday from 9:00am - 6:00pm Eastern Standard Time.

Sincerely,

Customer Care Department  
Freedom Mortgage Corporation

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